#### STATE OF VERMONT

### HUMAN SERVICES BOARD

In re	)	Fair	Hearing	No.	20,643
	)				
Appeal of	)				

### INTRODUCTION

The petitioner appeals a decision by the Department for Children and Families, Office of Vermont Health Access denying his request for coverage under the Vermont Health Access Program (VHAP) for his transportation costs in attending a court-ordered drug rehabilitation program. The following facts are not in dispute.

## FINDINGS OF FACT

- 1. The petitioner is a recipient of VHAP benefits. He lives in Wolcott, Vermont. He has been ordered by a court to attend a drug abuse rehabilitation program in Barre, Vermont. He is unemployed, has no car, and alleges he has no other means to obtain transportation to the program.
- 2. The petitioner does not allege that he is disabled (he cites his transportation problems as his main barrier to finding work), and he has no dependents.
- 3. At a phone conference held on December 8, 2006, the petitioner advised the hearing officer and the Department

that his probation officer has indicated that alternative ways may be explored to address his transportation problem if he is unsuccessful in this appeal.

## ORDER

The Department's decision is affirmed.

# REASONS

Unlike Medicaid (see W.A.M. § M755), the VHAP program does not cover medical transportation costs. In fact, VHAP specifically excludes all coverage for "travel (non-ambulance), even if prescribed by a physician". Procedures Manual § P-4005C3. The petitioner is not disabled and has no minor dependents. Therefore, he is not categorically eligible for Medicaid, and must rely solely on the limits of his VHAP coverage. Inasmuch as the Department's decision in this matter is in accord with the pertinent regulations, the Board is bound by law to affirm. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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